

**Congress of the United States**  
**Washington, DC 20510**

June 19, 2018

The Honorable Michael E. Horowitz  
Inspector General  
Department of Justice  
CIGIE Chair  
1717 H Street, NW, Suite 825  
Washington, DC 20006

Allison C. Lerner  
Inspector General  
National Science Foundation  
CIGIE Vice Chair  
1717 H Street, NW, Suite 825  
Washington, DC 20006

Hon. Horowitz and Ms. Lerner,

Inspectors General (IGs) play a critical role in holding federal agencies accountable and ensuring they are operating in an effective, efficient and transparent manner. Taxpayers expect and deserve nothing less. An IG's independence is absolutely critical to its ability to fairly review the facts of a situation and make unbiased recommendations in response to that situation. Insulating agencies from independent scrutiny is at odds with Congressional intent and is in clear conflict with statutory language supporting the reviews, audits, and investigations that IGs conduct to root out fraud, waste, and abuse and identify more effective and efficient agency operations. Simply put, IGs must continue to be independent because agencies cannot be trusted to investigate themselves in an unbiased manner.

Critical to any audit or investigation is access to information that must be produced by an agency. Without the full cooperation of the agency being overseen by the IG, and its willingness to provide timely, complete sets of information, it would appear that an IG or other auditor would be limited in its ability to perform its statutorily required role to ensure the agency head and Congress are "fully and currently" aware of problems and deficiencies with the administration of agency programs.

We would appreciate a clarification of the appropriate role an IG, and would value your insight into the importance of an agency's cooperation. In our perspective, the statute is clear: "Neither the head of the establishment...shall prevent or prohibit the Inspector General from initiating, carrying out, or completing any audit or investigation, or from issuing any subpoena during the course of any audit or investigation."

However, we understand that there are currently instances in which, once an IG takes the step required by law to inform an agency head of their seeming refusal to provide information, the agency head continues to disapprove the turning over of data and other items in support of the ongoing investigation. Congress most recently reaffirmed an IG's ability to conduct effective oversight over agencies with Public Law 114-317, the Inspector General Empowerment Act of 2016, which reemphasized timely and independent access to agency records.

Please share with us your guidance and opinion on the role of the Inspector General and their team, any general sense of the importance of agency compliance with requests from an IG, and any impact it may have on Congressional oversight and public trust when IGs are unable to complete their work in a timely manner and with full access to all information to which they are legally entitled.

We look forward to your timely response.



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Jon Tester  
Ranking Member  
Senate Veterans Affairs Committee

Sincerely,



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Tim Walz  
Ranking Member  
House Veterans Affairs Committee